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The situation in Afghanistan and its implications for international peace and security

Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan

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The situation in Afghanistan and its implications for international peace and security and emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan

A
The situation in Afghanistan and its implications for international peace and security

The General Assembly,

Recalling its resolution 59/112 A of 8 December 2004 and all its previous relevant resolutions,

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Recalling also all relevant Security Council resolutions and statements by the President of the Council on the situation in Afghanistan, in particular the most recent resolutions 1589 (2005) of 24 March 2005 and 1623 (2005) of 13 September 2005, as well as the statement by the President of the Council on 23 August 2005,[1]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and respecting its multicultural, multiethnic and historical heritage,

Applauding the holding of parliamentary and provincial council elections on 18 September 2005, leading to the completion of the Bonn process,

Emphasizing the importance of the Government being representative of the ethnic, cultural and geographical diversity of the country,

Recalling Security Council resolution 1325 (2000) of 31 October 2000 on women, peace and security, and applauding the substantive progress achieved in the empowerment of women in Afghan politics as historic milestones in the political process, which will help to consolidate durable peace and national stability in Afghanistan,

Recognizing the urgent need to tackle the remaining challenges in Afghanistan, including terrorist threats, the fight against narcotics, the lack of security in certain areas, the comprehensive nationwide disbandment of illegal armed groups and the reintegration of the Afghan Military Forces, the development of Afghan Government institutions including at the subnational level, the strengthening of the rule of law, the acceleration of justice sector reform, the promotion of national reconciliation and an Afghan-led transitional justice process, the safe and orderly return of Afghan refugees, the promotion and protection of human rights, and economic and social development,

Reaffirming in this context its continued support for the spirit and the provisions of the Bonn Agreement of 5 December 2001,[2] and of the Berlin Declaration, including the annexes thereto, of 1 April 2004,[3] and pledging its continued support, after the successful completion of the political transition, to the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of a constitutional democracy and resume their rightful place in the community of nations,

Expressing its appreciation and strong support for the central and impartial role that the Secretary-General of the United Nations and his Special Representative continue to play for the consolidation of peace and stability in Afghanistan and welcoming consultations initiated by the Government of Afghanistan and the United Nations on the post-Bonn process,[4]

Expressing in this context its deep concern over attacks against both Afghan and foreign nationals committed to supporting the consolidation of peace, stability and development in Afghanistan, in particular .United Nations and diplomatic staff,

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[1] S/PRST/2005/40; see *Resolutions and Decisions of the Security Council, 1 August 2005-31 July 2006.*

[2] Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (see S/2001/1154).

[3] Available from http://www.unama-afg.org.

[4] See A/60/224-S/2005/525.

national and international humanitarian and development personnel, the International Security Assistance Force and the Operation Enduring Freedom coalition,

Noting that, despite improvements in building the security sector, increased terrorist attacks caused by Al-Qaida operatives, the Taliban and other extremist groups, particularly in the south and in parts of the east of Afghanistan[5] over the past months, and the lack of security caused by criminal activity and the illicit production of and trafficking in drugs, still remain a serious challenge, threatening the democratic process as well as reconstruction and economic development,

Noting also that the responsibility for providing security, law and order throughout the country resides with the Government of Afghanistan supported by the International Security Assistance Force and the Operation Enduring Freedom coalition, recognizing the progress achieved in this respect, and stressing the importance of further extending central government authority to all parts of Afghanistan,

Commending the Afghan national army and police, the International Security Assistance Force and the Operation Enduring Freedom coalition for their contributions in improving security conditions, including for the electoral process, in Afghanistan,

Deeply concerned about the continued cultivation, production of and trafficking in narcotic drugs in Afghanistan, which is undermining stability and security as well as the political and economic reconstruction of Afghanistan and which has dangerous repercussions in the region and far beyond, and commending in that context the reaffirmed commitment of the Government of Afghanistan to rid the country of this pernicious production and trade, including by decisive law enforcement measures and by combating corruption, which have led to a decrease of opium cultivation in 2005,

Recognizing that the social and economic development of Afghanistan, specifically the development of alternative gainful and sustainable livelihoods in the formal productive sector, is an important element of the successful implementation of the comprehensive Afghan national drug control strategy and depends to a large extent on enhanced international cooperation with the Government of Afghanistan,

1. *Welcomes* the report of the Secretary-General[4] and the recommendations contained therein;

2. *Congratulates* the people of Afghanistan on the parliamentary and provincial council elections on 18 September 2005, which have demonstrated the broad commitment of Afghan voters towards a democratic future for their country;

3. *Expresses its appreciation* for the support of the United Nations Assistance Mission in Afghanistan and of the international community, including from neighbouring countries of Afghanistan, which facilitated the holding of parliamentary and provincial council elections through providing security assistance, funds, election personnel and observers;

4. *Recognizes* the upcoming completion of the political transition according to the Bonn process with the establishment of the National Assembly of

[5] Ibid., paras. 15 and 60; S/PRST/2005/40.

Afghanistan, as well as the challenges lying ahead, and calls upon the international community to continue to provide sustained support;

5. *Endorses* the key principles for cooperation between the Government of Afghanistan and the international community during the post-Bonn process as set out in the report of the Secretary-General,[6] including the leadership role of Afghanistan in the reconstruction process, the just allocation of domestic and international reconstruction resources across the country, regional cooperation, lasting capacity- and institution-building, combating corruption and the promotion of transparency and accountability, public information and participation, and the continued central role of the United Nations in the post-Bonn process, which should also include fields where the United Nations offers the best expertise available;[7]

6. *Welcomes* the readiness of the Government of Afghanistan to prepare an interim national development strategy, which is to be considered at a conference in London planned for January 2006, where a new engagement between the international community and the Government of Afghanistan is also due to be concluded, and urges the international community actively to support this process by, where possible, aligning their support behind this strategy;

7. *Stresses* the importance of the provision of sufficient security in the post-Bonn process, and to that end calls upon Member States to continue contributing personnel, equipment and other resources to the International Security Assistance Force and to further developing the provincial reconstruction teams in close coordination with the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan;

8. *Welcomes* the progress made since the commencement of the disarmament, demobilization and reintegration process in October 2003, in particular the completion of the disarmament and demobilization of the Afghan Military Forces, and stresses the need to reintegrate former combatants for the success of the programme;

9. *Also stresses* the importance of advancing the disbandment of illegal armed groups throughout the country, while ensuring further coordination and coherence with other relevant efforts regarding security sector reform and community development;

10. *Welcomes* the development of the new professional Afghan national army and Afghan national police and the progress made in the creation of a fair and effective justice system as important steps towards the goal of strengthening of the Government of Afghanistan, providing security, ensuring the rule of law and eliminating corruption throughout the country, and urges the international community to continue to support the efforts of the Government of Afghanistan in these areas in a coordinated manner;

11. *Calls upon* the Government of Afghanistan, with the assistance of the international community, including through the Operation Enduring Freedom coalition and the International Security Assistance Force, in accordance with their respective designated responsibilities, to continue to address the threat to the security and stability of Afghanistan posed by Al-Qaida operatives, the Taliban and

[6] A/60/224-S/2005/525, para. 77.

[7] See A/59/744-S/2005/183, para. 68.

other terrorist or extremist groups as well as by criminal violence, in particular violence involving the drug trade;

12. *Calls for* full respect for human rights and international humanitarian law throughout Afghanistan and, with the assistance of the Afghan Independent Human Rights Commission and of the United Nations Assistance Mission in Afghanistan, full implementation of the human rights provisions of the new Afghan Constitution, including those regarding the full enjoyment by women of their human rights, and commends the commitment of the Government of Afghanistan in this respect;

13. *Welcomes* the efforts to date of the Afghan authorities to carry out their comprehensive counter-narcotics implementation plan presented in February 2005, and urges the Government of Afghanistan to take decisive action, in particular to stop the processing of and trade in drugs, by pursuing the concrete steps set out in the work plan of the Government of Afghanistan, presented at the International Conference on Afghanistan, held in Berlin on 31 March and 1 April 2004;[8]

14. *Calls upon* the international community to assist the Government of Afghanistan in carrying out its comprehensive counter-narcotics implementation plan, aimed at eliminating illicit poppy cultivation, including through support for increased law enforcement, interdiction, demand reduction, eradication of illicit crops, crop substitution and other alternative livelihood and development programmes, increasing public awareness and building the capacity of drug control institutions, and encourages the channelling of increased counter-narcotics funding through the Government of Afghanistan's counter-narcotics trust fund;

15. *Supports* the fight against the illicit trafficking in drugs and precursors within Afghanistan and in neighbouring States and countries along trafficking routes, including increased cooperation among them to strengthen anti-narcotic controls to curb the drug flow, and welcomes, in that context, the signing on 1 April 2004 of the Berlin Declaration on Counter-Narcotics within the Framework of the Kabul Declaration on Good-neighbourly Relations of 22 December 2002;[9]

16. *Commends* the continuing efforts of the signatories of the Kabul Declaration on Good-neighbourly Relations[10] to implement their commitments under the Declaration, including, within that framework, those under the Declaration on Encouraging Closer Trade, Transit and Investment Cooperation of 22 September 2003, and calls upon all other States to respect and support the implementation of those provisions and to promote regional stability;

17. *Appreciates* the efforts of the members of the Tripartite Commission, namely, Afghanistan, Pakistan and the United States of America, to continue to address cross-border activities in accordance with its mandate;

18. *Calls for* the provision of continued international assistance to the vast number of Afghan refugees and internally displaced persons to facilitate their safe and orderly return and sustainable reintegration into society so as to contribute to the stability of the entire country;

19. *Requests* the Secretary-General to report to the General Assembly every six months during its sixtieth session on developments in Afghanistan, including on

[8] Berlin Declaration, annex I. Available from http://www.unama-afg.org.

[9] Berlin Declaration, annex III. Available from http://www.unama-afg.org.

[10] S/2002/1416, annex.

parliamentary and provincial elections and on consultations on the post-Bonn process as well as on the progress made in the implementation of the present resolution;

20. *Decides* to include in the provisional agenda of the sixty-first session the item entitled "The situation in Afghanistan".

B

Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan

The General Assembly,

Recalling its resolution 59/112 B of 8 December 2004 and its previous relevant resolutions,

Recalling also the agreement reached among various Afghan groups in Bonn, Germany, on 5 December 2001,[11] the International Conference on Reconstruction Assistance to Afghanistan, held in Tokyo on 21 and 22 January 2002, and the International Conference on Afghanistan in Berlin on 31 March and 1 April 2004,[4] and reminding donors to fulfil their commitments in this regard,

Welcoming the continuing and growing ownership of the rehabilitation and reconstruction efforts by the Government of Afghanistan through the National Development Framework, the "Securing Afghanistan's future" exercise and the national budget, and emphasizing the crucial need to achieve ownership in all fields of governance and to improve institutional capabilities in order to use aid more effectively,

Recognizing progress that has been made towards the Afghanistan national development strategy and welcoming, in this regard, the adoption of the first report on the Millennium Development Goals by the Government of Afghanistan as well as its further efforts to achieve the Millennium Development Goals,

Welcoming, in this regard, the guarantee of human rights and fundamental freedoms for all Afghans in the new Constitution as a significant step towards an improved situation of human rights and fundamental freedoms, in particular for women and children,

Noting with concern, at the same time, reports of violations of human rights and of international humanitarian law and violent or discriminatory practices in parts of the country,

Noting also with concern that the lack of security in certain areas has caused some organizations to cease or curtail humanitarian and development operations in some parts of Afghanistan because limited access and inadequate security conditions for the delivery of aid continue to hamper their work substantially,

Welcoming the continuous return of refugees and internally displaced persons, while noting with concern that the conditions in parts of Afghanistan are not yet conducive to safe and sustainable returns to places of origin,

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[11] Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (see S/2001/1154).

Remaining deeply concerned about the problem of millions of anti-personnel landmines and explosive remnants of war, which constitute a great danger for the population and a major obstacle for the resumption of economic activities and for recovery and reconstruction efforts,

Aware of the high vulnerability of Afghanistan to natural disasters, in particular drought or flooding, and emphasizing the need to prepare the population for extreme climate conditions through, for example, winterization measures,

Underlining the coordinating role of the Special Representative of the Secretary-General for Afghanistan and of the United Nations Assistance Mission in Afghanistan in ensuring a seamless transition, under Afghan leadership, from humanitarian relief to recovery and reconstruction,

Expressing its appreciation for the work of the executive steering committee of the provincial reconstruction teams, which provides guidance on management and coordination of provincial reconstruction teams and on the interaction of civilian and military actors,

Recognizing the need for a continued strong international commitment to humanitarian assistance and for programmes, under the ownership of the Government of Afghanistan, of recovery, rehabilitation and reconstruction, and expressing, at the same time, its appreciation to the United Nations system and to all States and international and non-governmental organizations whose international and local staff continue to respond positively to the humanitarian, transition and development needs of Afghanistan,

1. *Welcomes* the report of the Secretary-General[4] and the recommendations contained therein;

2. *Urges* the Government of Afghanistan and local authorities to take all possible steps to ensure the safety, security and free movement of all United Nations, development and humanitarian personnel, as well as their safe and unhindered access to all affected populations, and to protect the property of the United Nations and of development or humanitarian organizations, including non-governmental organizations;

3. *Strongly condemns* all acts of violence and intimidation directed against development and humanitarian personnel and United Nations and associated personnel, regrets the loss of life and physical harm, and urges the Government of Afghanistan to make every effort to identify and to bring to justice the perpetrators of attacks;

4. *Welcomes* the completion of the disarmament and demobilization of child soldiers in the Afghan Military Forces, stresses the importance of the reintegration of child soldiers and of care for other war-affected children, commends the Government of Afghanistan for its efforts in this regard, and encourages continued efforts in cooperation with the United Nations;

5. *Reiterates* the importance of ending immediately the recruitment and use of child soldiers in hostilities by illegal armed groups in Afghanistan, which is

contrary to international law, and welcomes the accession by Afghanistan to the Convention on the Rights of the Child[12] and its two optional protocols;[13]

6. *Reiterates also* the necessity of providing Afghan children with educational and health facilities in all parts of the country, recognizing the special needs of girls, and encourages the Government of Afghanistan, with the assistance of the international community, to expand those facilities and to promote full and equal access to them by all members of Afghan society;

7. *Welcomes* the initiative of the Government of Afghanistan to formulate a national plan of action on combating child trafficking, encourages the Government to formulate the plan of action guided by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[14] and stresses the importance of considering becoming a party to the Protocol;

8. *Calls for* the full respect of the human rights and fundamental freedoms of all, without discrimination of any kind, including on the basis of gender, ethnicity or religion, in accordance with obligations under the Afghan Constitution and international law;

9. *Stresses* the need to ensure respect for the right to freedom of expression and the right to freedom of thought, conscience or belief;

10. *Continues to emphasize* the necessity of investigating allegations of current and past violations of human rights and of international humanitarian law, including violations committed against persons belonging to ethnic and religious minorities, as well as against women and girls, of facilitating the provision of efficient and effective remedies to the victims and of bringing the perpetrators to justice in accordance with international law;

11. *Reiterates* the important role of the Afghan Independent Human Rights Commission in the promotion and protection of human rights and fundamental freedoms, and stresses the need to expand its range of operation in all parts of Afghanistan in accordance with the Afghan Constitution; welcomes the adoption by the Government of Afghanistan of key elements of the transitional justice action plan, and stresses the importance of judicial accountability of human rights offenders in accordance with international law;

12. *Stresses once again* the need for further progress on judicial reform in Afghanistan, and urges the Government of Afghanistan and the international community to devote resources also to the reconstruction and reform of the prison sector in order to improve respect for the rule of law and for human rights therein, while reducing physical and mental health risks to inmates;

13. *Recalls* Security Council resolution 1325 (2000) of 31 October 2000 on women and peace and security, commends the efforts of the Government of Afghanistan to mainstream gender issues and to protect and promote the equal rights of women and men as guaranteed, inter alia, by having ratified the Convention on the Elimination of All Forms of Discrimination against Women,[15] and by the

[12] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[13] Resolution 54/263, annexes.
[14] Resolution 55/25, annex II.
[15] United Nations, *Treaty Series*, vol. 1249, No. 20378.

Afghan Constitution, welcomes the level of participation of Afghan women in the recent parliamentary and provincial council elections, including the election of female candidates to those bodies, and reiterates the continued importance of full and equal participation of women in all spheres of Afghan life;

14. *Strongly condemns* incidents of discrimination and violence against women and girls, welcomes the significant efforts by the Government of Afghanistan to counter discrimination, urges the Government to actively involve all elements of Afghan society, in particular women, in the development and implementation of relief, rehabilitation, recovery and reconstruction programmes, and encourages the collection and use of statistical data on a sex-disaggregated basis to accurately track the progress of full integration of women into the political, economic and social life of Afghanistan;

15. *Notes with concern* that opium poppy cultivation and the related drug production and trafficking pose a serious threat to security, the rule of law and development in Afghanistan, and urges the Government of Afghanistan, supported by the international community, to work to mainstream counter-narcotics throughout all the national programmes; welcomes, in that context, the decrease in the cultivation of opium, commends the efforts of the Government of Afghanistan in this regard, and further urges it to increase its efforts against opium cultivation;

16. *Urges*, in particular, the Government of Afghanistan, in cooperation with the international community, to implement its comprehensive counter-narcotics implementation plan, aimed at eliminating illicit poppy cultivation, supporting increased law enforcement, interdiction, demand reduction, eradication of illicit crops, crop substitution and other alternative livelihood and development programmes, increasing public awareness and building the capacity of drug control institutions, and to promote the development of sustainable livelihoods in the formal production sector as well as other sectors, thus improving substantially the lives, health and security of the people, particularly in rural areas;

17. *Expresses its appreciation* to those Governments that continue to host Afghan refugees, acknowledging the huge burden they have so far shouldered in this regard, and reminds them of their obligations under international refugee law with respect to the protection of refugees, the principle of voluntary return, the right to seek asylum and to allow international access for their protection and care;

18. *Urges* the Government of Afghanistan, acting with the support of the international community, to continue and strengthen its efforts to create the conditions for the voluntary, safe, dignified and sustainable return and the reintegration of the remaining Afghan refugees and internally displaced persons;

19. *Calls for* the provision of continued international assistance to the large numbers of Afghan refugees and internally displaced persons to facilitate their voluntary, safe and orderly return;

20. *Urges* the Government of Afghanistan to meet its responsibilities under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,[16] to cooperate fully with the mine action programme coordinated by the United Nations, and to execute the destruction of all existing stocks of anti-personnel landmines;

[16] United Nations, *Treaty Series*, vol. 2056, No. 35597.

21. *Endorses* the key principles for cooperation between the Government of Afghanistan and the international community during the post-Bonn process as set out in the report of the Secretary-General,[6] including the leadership role of Afghanistan in the reconstruction process, the just allocation of domestic and international reconstruction resources across the country, regional cooperation, lasting capacity- and institution-building, combating corruption and the promotion of transparency and accountability, public information and participation, and the continued central role of the United Nations in the post-Bonn process, which should also include fields where the United Nations offers the best expertise available;

22. *Invites* all States and intergovernmental and non-governmental organizations providing assistance to Afghanistan to focus on capacity-building and institution-building and to ensure that such work complements and contributes to the development of an economy characterized by sound macroeconomic policies, the development of a financial sector that provides services, inter alia, to microenterprises, small and medium-sized enterprises and households, transparent business regulations and accountability;

23. *Urges* the Government of Afghanistan to continue to effectively reform the public administration sector in order to implement the rule of law, to ensure good governance and accountability at both national and local levels and to lead the fight against corruption;

24. *Urges also* the Government of Afghanistan to address, with the assistance of the international community, the question of claims for land property through a comprehensive land titling programme, including formal registration of all property and improved security for property rights, and welcomes the steps already taken by the Government of Afghanistan in this regard;

25. *Further urges* the international community to channel assistance through the national budget, including by contributing to the Afghanistan Reconstruction Trust Fund and the Law and Order Trust Fund, and to generously support the national priority programmes of the Government of Afghanistan in order to strengthen ownership, transparency and the functioning of basic State institutions;

26. *Urgently appeals* to all States, the United Nations system and international and non-governmental organizations to continue to provide, in close coordination with the Government of Afghanistan and in accordance with its national development strategy, all possible and necessary humanitarian, recovery, reconstruction, financial, technical and material assistance for Afghanistan;

27. *Emphasizes* the need to maintain, strengthen and review civil military relations among international actors, as appropriate, at all levels in order to ensure complementarity of action based on the different mandates and comparative advantages of humanitarian, development, law enforcement and military actors in Afghanistan;

28. *Requests* the Secretary-General to report to the General Assembly every six months during its sixtieth session on developments in Afghanistan, including on parliamentary and provincial elections on the post-Bonn process as well as on the progress made in the implementation of the present resolution;

29. *Decides* to include in the provisional agenda of the sixty-first session the item entitled "The situation in Afghanistan".